

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ELIZABETH LEON :
: vs. : C.A. No. :
: :
CLARKE COOKE HOUSE, LLC. : JURY TRIAL DEMANDED
: :
:

COMPLAINT

PARTIES AND JURISDICTION

1. Plaintiff is a resident of the City of Palm Desert, California.
2. Defendant is a Rhode Island Domestic Limited Liability Company with its principal place of business in Newport, Rhode Island. Defendant does business in Rhode Island by operating a restaurant at One Bannister's Wharf Newport, Rhode Island
3. Jurisdiction is vested in this Court under 28 U.S.C. §1332(a)(1).
4. The amount in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.

COUNT I -NEGLIGENCE

5. On or about August 19, 2019, plaintiff was a business invitee at the Clarke Cooke House Restaurant located at One Bannister's Wharf, Newport, Rhode Island.
6. At all times relevant herein, plaintiff was in the exercise of due and reasonable care for her own safety.
7. At all relevant times herein mentioned, defendant owed a duty of reasonable care to provide a safe environment to its patrons, including Elizabeth Leon.
8. Defendant breached the legal duty by failing to recognize and allowing a dangerous condition to exist in its restaurant, including uneven steps and no accompanying

handrail to an entrance on the premises.

9. As a direct and proximate result of the defendant's breach of the legal duty, plaintiff fell on the property and sustained severe head injuries requiring a hospitalization and subsequent aftercare.

10. As a direct and proximate result of the defendant's negligence, plaintiff was injured, suffered and will suffer great pain of body, nerves and nervous system, has suffered and will in the future continue to suffer a loss of enjoyment of life, and plaintiff Elizabeth Leon has become and will in the future become liable to pay sums of money for her medical and hospital attention, care and treatment, and plaintiff was and is injured.

WHEREFORE, plaintiff Elizabeth Leon demands judgment against defendant Clarke Cooke House, LLC for compensatory damages, plus interest and costs.

ELIZABETH LEON
By her attorneys,

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